

NORTH OGDEN PLANNING COMMISSION

MEETING MINUTES

April 2, 2014

The North Ogden Planning Commission convened in a regular meeting on April 2, 2014 at 6:32 pm in the North Ogden City Municipal Building, 505 E. 2600 N. North Ogden, Utah. Notice of time, place and agenda of the meeting was furnished to each member of the Planning Commission, posted on the bulletin board at the municipal office and posted to the Utah State Website on March 28, 2014. Notice of the annual meeting schedule was published in the Standard-Examiner on January 24, 2014.

COMMISSIONERS:

Don Waite	Vice-Chairman
Scott Barker	Commissioner
Joan Brown	Commissioner
Dee Russell	Commissioner
Phillip Swanson	Commissioner

STAFF:

Ron Chandler	City Manager
Stacie Cain	Community Dev. Coord./Deputy City Recorder

EXCUSED:

Eric Thomas	Chairman
Blake Knight	Commissioner

VISITORS:

Carlo Sacco
Clead Christiansen
Chris Campbell

REGULAR MEETING

Vice-Chairman Waite called the meeting to order at 6:32 pm. Commissioner Swanson offered the invocation and led the audience in the Pledge of Allegiance.

CONSENT AGENDA

1. CONSIDERATION TO APPROVE THE MARCH 5, 2014 PLANNING COMMISSION MEETING MINUTES.

Commissioner Brown made a motion to approve the consent agenda. Commissioner Swanson seconded the motion.

Voting on the motion:

Vice-Chairman Waite	yes
Commissioner Barker	yes
Commissioner Brown	yes
Commissioner Russell	yes
Commissioner Swanson	yes

The motion passed.

ACTIVE AGENDA

1. PUBLIC COMMENTS.

There were no public comments.

2. PUBLIC HEARING TO CONSIDER REZONING PROPERTY LOCATED APPROXIMATELY AT 312 E 2000 N FROM MANUFACTURING MP-1 TO COMMERCIAL C-2 FOR THE PURPOSE OF OPERATING A PHOTOGRAPHY STUDIO AND WOODWORKING SHOP.

A memo from City Planner Scott explained when the Planning Commission is acting as a recommending body to the City Council, it is acting in a legislative capacity and has wide discretion. Examples of legislative actions are general plan, zoning map, and land use text amendments. Legislative actions require that the Planning Commission give a recommendation to the City Council. Typically the criteria for making a decision, related to a legislative matter, requires compatibility with the general plan and existing codes.

The applicant is requesting that the property located at 312 East 2000 North be rezoned from MP-1 to C-2. The property is located in the C. Christiansen subdivision, lot 1. The frontage is on the north side of 2000 North on an 8,900 square foot lot. The property is currently being used as a cabinet shop. Mr. Campbell is interesting in retaining the cabinet shop and adding a photography studio. The MP-1 zone allows cabinet shop as a permitted use but does not allow photography studio as a use. The C-2 zone allows photography studio as a permitted use and the cabinet shop as a conditional use.

The North Ogden General Plan map calls for the property along 2000 North to transition from light industrial to commercial along Washington Boulevard. The existing zoning and the proposal can be considered consistent with the General Plan. The small size of this parcel limits its ability to be any type of large manufacturing use. The property abuts commercial zoning on its east boundary. This proposal would extend the transition of commercial zoning west for approximately 100 feet. The General Plan calls for “All development in the community should be built on land suitable for the intended use.” Additionally, “New commercial and other business development will enhance the community when meeting the objective of the General Plan.” The Zoning and Land-Use Policy includes guidelines for how zoning changes should be considered:

General Guidelines

1. A definite edge should be established between types of uses to protect the integrity of each use. Staff comment: The proposed use provides an appropriate edge between surrounding properties.
2. Zoning should reflect the existing use of property to the largest extent possible, unless the area is in transition. Staff comment: The proposal will allow the existing use to continue and allow the additional photography studio use.
3. Where possible, properties which face each other, across a local street, should be the same or similar zone. Collector and arterial roads may be sufficient buffers to warrant different zones. Staff comment: There is a sufficient buffer along 2000 North to warrant different zones.

Commercial Guidelines

11. Commercial zones should be located on collector and arterial streets, avoiding local streets which serve residential zones. Access to commercial and manufacturing zones should avoid local streets within residential zone. Staff comment: The proposal is located on a collector street.
12. Existing businesses on collectors and arterials should be allowed to expand while providing an adequate buffer with adjacent residential zones. Staff comment: The property to the west is in an unincorporated island within Weber County and zoned A-1. The home is located on the western edge of the parcel and there is a sufficient buffer from the applicant's property.

The memo provided the following Planning Commission considerations:

- Is the proposal consistent with the General Plan?
- How does the proposal relate to the Zoning and Land-Use Policy for evaluating zoning requests?
- Does the proposal meet the North Ogden Zoning ordinance standards?

The memo then concluded the Planning Commission can find that the application is consistent with the North Ogden General Plan and recommend approval to the City Council.

City Manager Chandler reviewed the staff memo.

Vice-Chairman Waite convened the public hearing at 6:35 p.m.

Chris Campbell, 2546 N. 1600 E., clarified the current use of the business: it is not currently operating as a cabinet shop, but the intention is to incorporate a cabinet shop into the business and continue other general woodworking.

Clead Christiansen, 3086 N. 150 E., stated he is the owner of the property and he thanked the Planning Commission for taking the time to consider the application, though he does not understand why he is being required to request the rezone; the zoning of the property was sufficient when he first started his business 11 years ago and nothing has changed other than that a photography business will be included in the building and he is seeking to sell it. He stated the new owner wants to lease the unused portions of the building and he is hopeful that he will not be restricted in doing that.

Vice-Chairman Waite noted the zone that is being requested will lessen the restrictions on the commercial use of the property. There was a general discussion about the current manner in which the building is used as well as the various permitted uses in the current zoning compared to the requested zoning.

**Commissioner Swanson made a motion to close the public hearing at 6:41 p.m.
Commissioner Russell seconded the motion.**

Voting on the motion:

Vice-Chairman Waite	yes
Commissioner Barker	yes
Commissioner Brown	yes
Commissioner Russell	yes
Commissioner Swanson	yes

The motion passed.

**3. DISCUSSION AND/OR RECOMMENDATION TO CONSIDER REZONING
PROPERTY LOCATED APPROXIMATELY AT 312 E 2000 N FROM
MANUFACTURING MP-1 TO COMMERCIAL C-2 FOR THE PURPOSE OF
OPERATING A PHOTOGRAPHY STUDIO AND A WOODWORKING SHOP.**

Commissioner Russell made a motion to forward a positive recommendation to the City Council regarding the rezoning of property located at approximately 312 E. 2000 N. from Manufacturing MP-1 to Commercial C-2 for the purpose of operating a photography studio and woodworking shop. Commissioner Brown seconded the motion.

Voting on the motion:

Vice-Chairman Waite	yes
Commissioner Barker	yes
Commissioner Brown	yes
Commissioner Russell	yes
Commissioner Swanson	yes

The motion passed.

4. PUBLIC HEARING TO AMEND NORTH OGDEN ZONING ORDINANCE TITLE 11, TO ADD REGULATIONS REGARDING BEES.

Vice-Chairman Waite stated City staff is not ready to address this issue this evening and he recommended that the agenda item be tabled until the next meeting.

**Commissioner Swanson made a motion to table this agenda item for two weeks.
Commissioner Brown seconded the motion.**

Voting on the motion:

Vice-Chairman Waite	yes
Commissioner Barker	yes
Commissioner Brown	yes
Commissioner Russell	yes
Commissioner Swanson	yes

The motion passed.

5. DISCUSSION AND/OR RECOMMENDATION TO AMEND NORTH OGDEN CITY ZONING ORDINANCE TITLE 11, TO ADD REGULATIONS REGARDING BEES.

**Commissioner Swanson made a motion to table this agenda item for two weeks.
Commissioner Brown seconded the motion.**

Voting on the motion:

Vice-Chairman Waite	yes
Commissioner Barker	yes
Commissioner Brown	yes
Commissioner Russell	yes
Commissioner Swanson	yes

The motion passed.

6. DISCUSSION AND/OR ACTION TO APPROVE A SITE PLAN APPLICATION FOR A PRODUCE MARKET, LOCATED AT 1853 N WASHINGTON BOULEVARD.

A staff memo from City Planner Scott explained when the Planning Commission is acting as a land use authority, it is acting in an administrative capacity and has much less discretion. Examples of administrative applications are conditional use permits, design reviews, and subdivisions. Administrative applications must be approved by the Planning Commission if the application demonstrates compliance with approval criteria. The memo provided a background on the subject application, noting the applicant is requesting approval of a site plan to allow Carlo Sacco's Farmers Marketplace to occupy the space previously occupied by Country Boy Dairy. The property owner is in the process of annexing this property; Weber County and North Ogden City have approved an interlocal agreement designating North Ogden City as the land use authority while the property is being annexed. Once the City Council has accepted the annexation application for processing, it will appear on an upcoming Planning Commission agenda for a recommendation regarding the appropriate zoning. The adjoining commercial properties are zoned C-2 and staff is using those standards for this application.

The memo noted the subject property was developed using Weber County's A-1 agriculture standards. The Planning Commission will be considering how to bring this property to a reasonable standard meeting the intent of the North Ogden Zoning Ordinance:

11-8A (Commercial Zone C-2) – Grocery store is a permitted use in the C-2 zone.

11-8D (Design Standards for Commercial Development)

The Carlo Sacco's Marketplace is locating in the former County Boy Dairy building; there are no proposed exterior changes to the building.

The building is a light cream colored brick and will be non-conforming as it relates to the City's color standards. The south gable should be painted brown similar to the north gable.

11-17 (Parking and Loading; Traffic Access)

The applicant has shown two alternative site plans. Proposal 1 does not meet North Ogden City's landscape standard. Proposal 2 is closer to the standard. 11-7-6 requires a 20 foot landscape area along the frontage of Washington Boulevard, however the front of the building has a four foot sidewalk and from the sidewalk to the back of the public sidewalk is approximately 34 feet. In order to have a two way driveway 20 feet in width in front of the building, that leaves 4 feet for landscaping. The landscaping is required to be bordered by a six inch high curb or bumper guard. The landscaping along the frontage is required to be bermed as per 11-17-2(G). 11-8D (5) requires that the park strip be landscaped. The existing landscaping along Washington Boulevard angles away from the driveway. The landscaping along Washington Boulevard should be at a 90 degree angle as shown on the recommended plan.

The applicant should provide a description of the landscaping they intend to install including turf, trees, and shrubs.

The existing building is 1,600 square feet with a canopy of 640 square feet. The parking requirement for this building is nine parking stalls. The site plan is showing 16 parking stalls. The site plan will need to be modified to provide for any needed ADA parking stalls as required by the building official.

There are two driveways that enter the site. The northern driveway is 40 feet wide and the south driveway is 30 feet wide. Commercial driveways are allowed to be 50 feet as per North Ogden City Engineering Standards.

11-22 (Sign Regulations for all Zones) – The applicant has submitted a sign permit to replace the existing sign with a new sign face. It meets the sign code.

The memo then referenced the applications conformance to the General Plan, noting it conforms to the North Ogden City General Plan due to its being compliant with the spirit of City Ordinances and the following Plan goal: All existing and new development should be required to fairly and uniformly provide improvements according to City standards. When considering this application the Planning Commission should determine if the proposed use meets the requirements of the applicable City Ordinances. Recommended conditions are approval are that the application, comply with North Ogden Zoning Ordinance and any reviewing agency requirements. The memo concluded staff recommends approval of the site plan for Carlo Sacco's Marketplace with the following conditions:

- Paint the south gable brown consistent with the north gable.
- Landscape the park strip, adjust the landscaping in front of the building to provide for a 20-foot driveway and 14 feet of landscaping. The landscaping in front of the store will need to be bermed. As part of the removal of the asphalt for the new landscaped areas it should be done at right angles as per exhibit D. Bumper guards or curbing will border the landscaping. The applicant should provide a description of what landscaping they intend to install along with any turf, trees, or shrubs.
- Provide for needed ADA parking.
- Complete the site plan as per exhibit D.

City Manager Chandler reviewed Mr. Scott's memo.

Carlos Sacco, 3607 N. 650 E., stated he agrees to make the changes to the landscaping as requested, but he has some concerns about adding landscaping around the existing sign. He noted he will also add ADA parking stalls as well. Mr. Chandler referenced exhibit D in the Planning Commission packet and discussed the recommendation to add a berm to the landscaping in front of the store. He stated there is sufficient space at the subject property to add the requested parking spaces and landscaping.

Commissioner Swanson asked if the existing drive-through on the store will be used by Sacco's, to which Mr. Sacco answered no and stated he will use that area as a display area for his produce. He then noted that he has started to maintain the landscaping at the property now and he wants to provide enough space for people to stay on the property and enjoy their produce if they so choose. There was a discussion regarding the staff recommendation to add a berm in front of the store, with Commissioner Barker expressing his concern that the berm may impede the line of sight for motorists trying to enter and exit the property. Mr. Chandler stated the berm is not that tall and should not impact traffic. Mr. Sacco stated he would prefer to remove the asphalt from the area and replace it with curbed landscape areas including flower or planter boxes as well as rocks and shrubs. Mr. Chandler stated Mr. Sacco has a wide range of options to choose from to meet the landscaping recommendation. He then stated that he will paint both gables to be the same color; he has started painting the brown gable white and he requested approval for both gables to be white. Mr. Chandler stated that is fine as long as both gables are the same color. Mr. Sacco then stated that he is ready to open his business once he receives the proper approvals; once he is granted his business license he can open within 10-days.

Commissioner Brown asked Mr. Sacco if he is familiar with the signage restrictions in North Ogden that may prevent him from using temporary signs to advertise the various types of produce he has for sale. Mr. Sacco stated he is familiar with those restrictions; he noted the existing sign on the property is grandfathered under the City's ordinance; at his other locations he uses banner signs, but he will adjust to the City's ordinances in a way that still allows him to properly advertise. He then noted he will also work to clean the back portion of the property though that is not part of the leased premises; he wants the entire property to look presentable to his customers.

Commissioner Brown made a motion to approve the site plan application for a produce market located at 1853 N. Washington Boulevard, conditioned upon site plan exhibit D. Commissioner Swanson seconded the motion.

Voting on the motion:

Vice-Chairman Waite	yes
Commissioner Barker	yes
Commissioner Brown	yes
Commissioner Russell	yes
Commissioner Swanson	yes

The motion passed.

7. PUBLIC COMMENTS.

There were no public comments.

8. PLANNING COMMISSION/STAFF COMMENTS.

Commissioner Brown stated her neighbor received a letter from Craig Giles about piping the storm drain from Fernwood, east to west; his concern is that he has lived on the property for so many years and his landscaping is established. Mr. Chandler stated there are real issues the City is facing when considering these types of projects. Commissioner Brown stated she is disappointed the issue was not raised when the Quail Pond Subdivision was considered because the project could have been part of that subdivision. Mr. Chandler stated the City does not have a requirement for all ditches to be piped, but open ditches are becoming more problematic. He stated the City does not want to impact existing landscaping by piping ditches, but some homeowners have fenced around the ditches, which prevents the City from accessing them by using the established easement. There was a general discussion regarding storm drain piping projects throughout the City and Mr. Chandler explained to the Planning Commission some of the challenges associated with those projects.

Commissioner Brown then stated she has noticed that the parking covers over the previous Sonic/Mexican restaurant's parking stalls have not been removed even though that was part of

the agreement the title loan company entered into. Mr. Chandler stated the project is still under construction and he expects that work to be completed.

9. ADJOURNMENT.

Commissioner Swanson made a motion to adjourn the meeting. Commissioner Brown seconded the motion.

Voting on the motion:

Vice-Chairman Waite	yes
Commissioner Barker	yes
Commissioner Brown	yes
Commissioner Russell	yes
Commissioner Swanson	yes

The motion passed.

The meeting adjourned at 7:06 pm.

Planning Commission Chair

Stacie Cain,
Community Dev. Coord./Deputy City Recorder

Date approved